

**Introduced by Senator Polanco**

February 21, 2002

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An act to amend Section 18712 of the Business and Professions Code, relating to boxing and martial arts.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1749, as introduced, Polanco. Boxing and martial arts.

Existing law, the Boxing Act, provides for the licensure of boxers and martial arts fighters by the State Athletic Commission and makes a violation of its provisions a misdemeanor. The act requires that applicants for licensure and for licensure renewal as a professional boxer or as a professional martial arts fighter submit documentation of negative test results for the human immunodeficiency virus and hepatitis type B.

This bill would expand this requirement by extending it to amateur boxers and to amateur martial arts fighters and by including testing for hepatitis type C. The bill would also require professional and amateur boxers and martial arts fighters to submit to the commission negative results for all of the required tests no later than 180 days prior to competing in a match.

Because the bill would specify an additional requirement under the Boxing Act, a violation of which would be punishable as a misdemeanor, it would expand the scope of an existing crime, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.



This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 18712 of the Business and Professions  
2 Code is amended to read:

3 18712. (a) Notwithstanding any other provision of law, any  
4 person applying for a license or the renewal of a license as *an*  
5 *amateur or as a professional boxer or as an amateur or as a*  
6 *professional martial arts fighter shall present documentary*  
7 *evidence satisfactory to the commission that the applicant has been*  
8 *administered a test, by a laboratory in the United States that*  
9 *possesses a certificate under the Clinical Laboratory Improvement*  
10 *Act (42 U.S.C. Sec. 263a), to detect the presence of antibodies*  
11 *both to the human-immunodeficiency immunodeficiency virus*  
12 *(HIV) and to hepatitis type C (HBC) and to detect the presence of*  
13 *the antigen of virus hepatitis type B (HBV) within 30 days prior*  
14 *to the date of the application and that the results of both all three*  
15 *tests are negative.*

16 (b) *An amateur or professional boxer and an amateur or*  
17 *professional martial arts fighter shall present documentary*  
18 *evidence satisfactory to the commission of a negative result for all*  
19 *three tests described in subdivision (a) no later than 180 days prior*  
20 *to the date of a match in which he or she is a contestant.*

21 (c) Information received under this section and any other  
22 medical information about an applicant or licensee shall be  
23 confidential and not subject to discovery or subpoena. If the  
24 commission denies a license or the renewal of a license or suspends  
25 or revokes a license because of a licensee's HIV *or HBC* antibody  
26 status or HBV antigen status, it shall state only that the action was  
27 taken for medical reasons. An applicant or licensee may appeal the  
28 commission's denial, suspension, or revocation of a license under  
29 this section. The commission shall notify each person in writing  
30 of his or her right to a closed hearing for that appeal. An applicant  
31 or licensee must make a request for a hearing to the commission  
32 within 30 days of receiving notification from the commission of  
33 the applicant's or licensee's right to a hearing.



1     SEC. 2. No reimbursement is required by this act pursuant to  
2     Section 6 of Article XIII B of the California Constitution because  
3     the only costs that may be incurred by a local agency or school  
4     district will be incurred because this act creates a new crime or  
5     infraction, eliminates a crime or infraction, or changes the penalty  
6     for a crime or infraction, within the meaning of Section 17556 of  
7     the Government Code, or changes the definition of a crime within  
8     the meaning of Section 6 of Article XIII B of the California  
9     Constitution.

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